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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/073,748

05/06/1998

CRAIG DAVID WEISSMAN

20308.702

1160

23639 7590 02/06/2007  
BINGHAM, MCCUTCHEN LLP  
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EXAMINER

COLBERT, ELLA

ART UNIT

PAPER NUMBER

3694

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/06/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09/073748	05/06/1998	CRAIG DAVID WEISMAN	20308.702

EXAMINER
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*E. Colbert*

ART UNIT	PAPER
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*3694*

20070122

DATE MAILED:

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Commissioner for Patents

### **DETAILED ACTION**

1. Claims 133, 134, 136-142, 144-150, and 152-189 are pending. Claims 133, 140, 141, 148, 149, 156, and 163-168 have been amended in this communication filed 11/03/06 entered as Response to Non-Final Action, Substitute Specification, and Request for Extension of Time.
2. The drawings filed 11/06/06 has been reviewed and entered.
3. The drawing objection has been overcome by the submission of the formal drawings and is hereby withdrawn.
4. The objection to the Specification has been overcome by the submission of a Substitute Specification and is hereby withdrawn.
5. The objection to the title of the invention has been overcome by Applicants' amendment to the title and is hereby withdrawn.
6. The previous 35 USC 112 second paragraph rejection for claims 133, 140, 141, 148, 149, 156, 163, and 166 has been overcome by the amendment to the claims and is hereby withdrawn.

### **Response to Applicants' Amendment**

Claims 167 and 168 have the identifier as (currently amended) with an amendment but there is a line drawn through "167" and "168". It is unclear as to the real status of these two claims because a line through the claim indicates that the claim has been cancelled. Clarification and corrected claim amendments is respectfully requested.

The amendment filed on 3/28/06 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): A clean copy of the Specification was not submitted. This does not comply with 37 CFR 1.121. The 35 USC 112 second paragraph rejection for claim 1 relating to the type of "system" in the preamble. Since the above- mentioned reply appears to be *bona fide*, the Applicants' are given a time period of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. Extensions of this time period maybe granted under 37 C.F.R. 1.136 (a). This action is **NON-FINAL**.

#### **Inquiries**


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on Monday, Tuesday, and Thursday, 5:30AM-3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3694

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 22, 2007

  
ELLA COLBERT  
PRIMARY EXAMINER